

Approved, SCAO

STATE OF MICHIGAN  
JUDICIAL DISTRICT  
JUDICIAL CIRCUIT

GARNISHEE DISCLOSURE

CASE NO.

16-10519

Court address

Court telephone no.

Plaintiff's name, address, and telephone no. (judgment creditor)

Defendant's name, address, and telephone no. (judgment debtor)

Plaintiff's attorney, bar no., address, and telephone no.

Garnishee name and address

FILED  
FEB 05 2018

SEE INSTRUCTIONS ON OTHER SIDE

JAN 29 2018

1. This disclosure is for a writ of garnishment issued on JAN 03 2018 and received by garnishee on JAN 29 2018.
- ☒ a. The garnishee mailed or delivered a copy of the writ of garnishment to the defendant on JAN 29 2018.
- ☐ b. The garnishee was unable to mail or deliver a copy of the writ of garnishment to the defendant.
- ☐ c. The garnishee will not withhold payments under the writ of garnishment. The writ of garnishment was served after the deadline date for service and the writ is invalid.

2. At the time of service of the writ:

**Nonperiodic Garnishments**

- ☒ a. The garnishee is not indebted to the defendant for any amount and does not possess or control the defendant's property, money, etc. Reason: NO FUNDS AVAILABLE.
- ☐ b. The garnishee is indebted to the defendant for nonperiodic payments as follows:

Description of property, money, negotiable instruments, etc. under garnishee's control Type of account and account number, if applicable

The amount to be withheld is \$ \_\_\_\_\_ and does not exceed the amount stated in item 2 of the writ.

- ☐ c. Withholding is exempt because \_\_\_\_\_

State the exemption and legal authority

**Periodic Garnishments**

- ☐ d. The garnishee is not obligated to pay the defendant during the period of the writ.

Reason: ☐ not employed. ☐ other \_\_\_\_\_

- ☐ e. The garnishee is obligated to pay the defendant during the period of the writ.

Payments are for ☐ earnings. ☐ nonearnings \_\_\_\_\_

Specify nature of payment (see instructions on other side)

Payments are made ☐ weekly. ☐ biweekly. ☐ semimonthly. ☐ monthly. ☐ other: \_\_\_\_\_  
frequency of paymentA higher priority writ/order ☐ is ☐ is not currently in effect. If a higher priority writ/order is in effect, complete the following.

Name of court that issued higher priority writ/order

Case number

Date issued

Date served

Withholding under this writ

☐ will begin immediately if sufficient funds are available.☐ will not begin immediately because defendant is ☐ laid off. ☐ sick. ☐ on leave. ☐ other: \_\_\_\_\_  
specify

I declare that the statements above are true to the best of my information, knowledge, and belief.

JAN 29 2018

Date

Garnishee/Agent/Attorney signature

I certify that:

on JAN 29 2018 I mailed or personally delivered the original of this disclosure to the court.on JAN 29 2018 I mailed or personally delivered a copy of this disclosure to the plaintiff/attorney.on JAN 29 2018 I mailed or personally delivered a copy of this disclosure to the defendant.

JAN 29 2018

Date

Garnishee/Agent/Attorney signature

DO NOT Include Your Payment With This Disclosure. See item 3 of the instructions for details.

**GARNISHEE CALCULATION SHEET FOR EARNINGS**

1. The employer's current payday is \_\_\_\_\_. The principal defendant's gross earnings from the employer that were earned for this pay period are: \$ \_\_\_\_\_
2. Deductions required by law to be withheld from gross earnings shown on line 1:
  - a. Federal withholding tax (for income tax) \$ \_\_\_\_\_
  - b. State withholding tax (for income tax) \$ \_\_\_\_\_
  - c. Employee portion of social security tax \$ \_\_\_\_\_
  - d. Employee portion of medicare tax \$ \_\_\_\_\_
  - e. City withholding tax (for income tax) \$ \_\_\_\_\_
  - f. Public employee retirement when required by law \$ \_\_\_\_\_
  - g. Total (add lines 2a through 2f) \$ \_\_\_\_\_
3. **Disposable earnings** (subtract line 2g from line 1) \$ \_\_\_\_\_
4. Test I for amount available for garnishment (25% of line 3):  
 (this percentage does not apply to garnishments for support of a person) \$ \_\_\_\_\_
5. Test II for amount available for garnishment (disposable earnings minus federal minimum wage multiplied by appropriate multiple for normal pay period):
  - a. Locate the appropriate figure from the chart below and insert here \$ \_\_\_\_\_
  - b. Subtract amount on line 5a from amount on line 3. Insert amount here. \$ \_\_\_\_\_  
 If the amount is less than zero, enter -0-.
6. Maximum amount subject to garnishment (line 4 or 5b, whichever is less) \$ \_\_\_\_\_
7. Amounts withheld from disposable earnings (see line 3) pursuant to orders with priority:
  - a. Orders of bankruptcy court \$ \_\_\_\_\_
  - b. Orders for past due federal or state taxes \$ \_\_\_\_\_
  - c. Income withholding for support of any person \$ \_\_\_\_\_
  - d. Other general garnishments served prior to this writ \$ \_\_\_\_\_
  - e. Total of all priority amounts withheld (add lines 7a through 7d) \$ \_\_\_\_\_
8. Amount subject to garnishment under this writ (subtract line 7e from line 6) \$ \_\_\_\_\_
9. **Amount to be withheld in response to this writ** (line 8 above or line 2 on the request and writ for garnishment, whichever is less) \$ \_\_\_\_\_

Chart *	
Test II for Amount Available for Garnishment Beginning:	<u>July 24, 2009</u>
Weekly (or more frequently) pay period	\$217.50
Biweekly pay period	\$435.00
Semimonthly pay period	\$471.25
Monthly pay period	\$942.50
*Training wage: for person aged 16 to 19 on their first job, use 85% of the above figures.	

Approved, SCAO

Original - Garnishee (Part 1)

1st copy - Court (Part 2)

2nd copy - Defendant (Part 2)

3rd copy - Return (proof of service) (Part 2)

4th copy - Plaintiff/Attorney (proof) (Part 2)

United States District Court  
for the Eastern District of Michigan**REQUEST AND WRIT FOR GARNISHMENT  
(NONPERIODIC)**• **CASE NO.**

2:16-cv-10519

Court address

• Zip code

Court telephone no.

231 W. Lafayette Blvd 3827, Detroit MI 48226

(313) 234-5005

Plaintiff's name and address (judgment creditor)

Kelly Bysouth

Plaintiff's attorney, bar no., and address

- Sylvia S. Bolos (P78715) of Lyngklip & Associates
- 24500 Northwestern Hwy., Ste. 206
- Southfield, MI 48075
- Telephone no.  
(248) 208-8864

Defendant's name and address (judgment debtor)

Richard Tilley  
35980 Meadow Ridge Road  
Temecula, CA 92592

CLERK'S OFFICE  
DETROIT

Social security no.

546-89-8532

Employee ID or account no.

Garnishee name and address

Alaska USA FCU  
4000 Credit Union Drive  
Anchorage, AK 99503

FILED  
CLERK'S OFFICE  
JAN - 3 2018  
U.S. DISTRICT COURT  
EASTERN MICHIGAN

**REQUEST**

See instructions for item 2 on other side.

1. Plaintiff received judgment against defendant for \$139,305.47 on 8.31.2017.
2. The total amount of judgment interest accrued to date is \$ 586.80. The total amount of postjudgment costs accrued to date is \$0.00. The total amount of postjudgment payments made and credits to date is \$ 0.00. The amount of the unsatisfied judgment now due (including interest and costs) is • \$ 139,892.27.
3. Plaintiff knows or with good reason believes the garnishee is indebted to or possesses or controls property belonging to defendant.
4. Plaintiff requests a writ of nonperiodic garnishment.

I declare that the statements above are true to the best of my information, knowledge, and belief.

01/03/2018

Date

Plaintiff/Agent/Attorney signature

**WRIT OF GARNISHMENT**

To be completed by the court. See other side for additional information and instructions.

**TO THE PLAINTIFF:** You must provide all copies of the disclosure form (MC 14), two copies of this writ for serving on the garnishee, and a \$1.00 disclosure fee for serving on the garnishee. You are responsible for having these documents served on the garnishee within 182 days. If the disclosure states that the garnishee holds property other than money belonging to the defendant, you must motion the court within 56 days after the disclosure is filed for an order to apply the property toward the judgment. **NOTE:** The social security number field is blacked out for security reasons on all parts except the garnishee copy.

**TO THE DEFENDANT:**

1. Do not dispose of any negotiable instrument representing a debt of the garnishee or any negotiable instrument of title representing property in which you claim an interest held in the possession or control of the garnishee.
2. You have **14 days** after this writ is mailed or delivered to you to file objections with the court. If you do not take this action within this time, without further notice, the property or debt held under this writ may be applied to the judgment **28 days** after this writ was mailed or delivered to the garnishee.

**TO THE GARNISHEE:**

1. Within **7 days** after you are served with this writ, you must deliver a copy of this writ to the defendant in person or mail a copy to his or her last-known address by first-class mail.
2. Deliver no tangible or intangible property and pay no obligation to the defendant unless allowed by statute or court rule.
3. Within **14 days** after you are served with this writ, you must deliver or mail copies of your verified disclosure (form MC 14) to the court, plaintiff/attorney, and defendant. A default may be entered against you for failure to comply with this order.
4. If indebted to the defendant, you must withhold an amount not to exceed the amount of the judgment stated in item 2 of the request. Payment of withheld funds must be made **28 days** after you are served with this writ unless notified that an objection has been filed. You are ordered to make the payment withheld under this writ payable to:

and mail it to: ☒ the plaintiff ☐ the plaintiff's attorney ☐ the court  
☐ the plaintiff ☒ the plaintiff's attorney ☐ the court.

5. If you hold property other than money belonging to the defendant, do not transfer it until further order of the court.

IAN - 3 2018

JUL - 4 2018

Date of issue

Expiration date for service

Deputy court clerk

**AlaskaUSA**  
*Federal Credit Union*<sup>®</sup>

P.O. Box 196613  
Anchorage, Alaska 99519-6613

RETURN SERVICE REQUESTED

DISTRICT COURT OF THE EASTERN  
DISTRICT OF MICHIGAN  
231 W. LAFAYETTE BLVD 3827  
DETROIT, MI 48226

1-30-18  
**RECEIVED**  
FEB 05 2018  
CLERKS OFFICE  
U.S. DISTRICT COURT

48226\$2700 C003

